

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3739 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

=====

1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
2. To be referred to the Reporter or not? : YES
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

PUBLIC HEALTH DEPT MINISTERIALSTAFF ASSOCIATION

Versus

STATE OF GUJARAT

Appearance:

MR JF SHAH for Petitioner
M/S PATEL ADVOCATES for Respondent No. 1, 2, 3
Mr.Digant P. Joshi, learned AGP for M/s Patel
Advocates.

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 28/04/2000

ORAL JUDGEMENT :

Mr.Shah, learned advocate submits that the present petition was filed by the petitioners at the relevant time under the apprehension that the posts of Audit Officer in Public Health Department were likely to

be filled in by the persons of other departments and that would have caused serious prejudice to the members of the petitioner Association. Mr.Shah further states that the petition was filed in the year 1988, but till date the respondents have not taken any action whereby that apprehension could have come true. Therefore, the present petition, as on today, is infructuous, and hence he may be permitted to withdraw this petition on instructions of his client. However, Mr.Shah requests that the petitioner may be reserved a liberty to approach this Court and withdrawal of this petition may not come in the way of the petitioner, if any such action is taken by the respondent authorities in future.

2. The request of Mr.Shah, the learned advocate for the petitioner for withdrawal of the petition is granted. Liberty is reserved to the petitioner to approach this Court in case the respondent authorities take such action which was apprehended in this petition.

3. The petition stands disposed of as withdrawn. Rule is discharged. Ad interim relief granted earlier stands vacated with no order as to costs.

(Ravi R. Tripathi, J.)

karim*